**Privacy Notice – Angel Lane Surgery**

This Privacy Notice lets you know what happens to the personal information we may collect from or about you.

This notice reflects how we use information for:

* The management of patient records.
* Communication concerning your clinical, social and supported care.
* Ensuring the quality of your care and the best clinical outcomes are achieved through clinical audit and retrospective review.
* Participation in health and social care research; and
* The management and clinical planning of services to ensure that appropriate care is in place for our patients today and in the future.

Being transparent and providing accessible information to our patients about how we will use your personal information is a key element of the [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents) and the EU General Data Protection Regulations (GDPR).

The following notice reminds you of your rights in respect of the above legislation and how Angel Lane Surgery will use your information for lawful purposes to deliver your care and the effective management of the local NHS system.

**As your registered GP practice, we are the data controller for any personal data that we hold about you.**

**Why we collect it**

As part of the [National Health Service Act 2006](https://www.legislation.gov.uk/ukpga/2006/41/contents) and [Health and Social Care Act 2012](https://www.legislation.gov.uk/ukpga/2012/7/contents)

We strive to improve quality of services, reduce inequalities, conduct research, review performance of services and deliver education and training.

To do this we will need to process your information in accordance with current data protection legislation to:

* Protect your vital interests.
* Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or a vulnerable adult.
* Perform tasks in the public’s interest.
* Deliver preventative medicine, medical diagnosis, medical research; and
* Manage the health and social care system and services.

# **What information is held**

Your healthcare records contain information about your health and any treatment or care you have received previously (e.g., from an acute hospital, GP surgery, community care provider, mental health care provider, walk-in center, social services).

These are broken down into two categories:

1. **Personal Data**Information that identifies you(i.e. your name, telephone number, email address, address, date of birth etc.)
2. **Special Category/Sensitive Data**
Such as medical history including details of appointments and contact with you, medication, emergency appointments and admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.

These records may be electronic, a paper record or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

**How we gather this information**

The information that we hold has either been provided by you or by others involved in your care and treatment (i.e. hospitals, communities)

You submit information to us when:

* You contact us by telephone.
* You communicate with us online.
* You visit the practice.
* You complete a survey (in common with other health care providers, we may occasionally send you a survey. These can be health or service related)

We receive information about you from other health professionals and services, such as (but not limited to):

* From an acute hospital visit
* GP surgery following temporary residency.
* Community care provider
* Mental health care provider
* Walk-in center
* Social services
* Government Agencies

Your information is collected either electronically using secure NHS Mail or a secure electronic transferred over an NHS encrypted network connection. In addition, physical information will be sent to your practice. This information will be retained within your GP’s electronic patient record or within your physical medical records

How is this information used

Information you provide or we receive is used in connect with:

* Your treatment and/or care
* Your tests or assessments
* Your medical examinations

It may also be used for:

* Quality assurance
* Maintaining our records
* Developing or improving a product or service

**Who has access to this information**

We carefully control who has access to your information.

Staff only have access where they are required to so they can provide direct support or care. We carry out spot checks and audits to ensure that there is no inappropriate access.

Inappropriate access to patient records will result in disciplinary action and, in serious cases, court action. If a data breach occurs that involves your information, you will be contacted. If there is a serious data breach, we have an obligation to inform the [Information Commissioner's Office (ICO)](https://ico.org.uk/).

**Who it’s shared with**

To deliver and coordinate your health and social care, we may share information with the following organisations:

* Local GP Practices to deliver extended primary care services
* NHS secondary care services (e.g. Princess Alexandra Hospital, Mid Essex Hospital Trust, Addenbrookes and other secondary care providers as necessary)
* 111 and Out of Hours Service
* Local Social Services and Community Care services
* Voluntary Support Organisations commissioned to provide services by Herts & West Essex ICB

We may also share your information with external organisations, such as:

* Our Lawyers
* Auditors
* Insurance Companies
* Regulating Bodies such as the [Care Quality Commission (CQC)](https://www.cqc.org.uk/) and the [Information Commissioner's Office (ICO)](https://ico.org.uk/)

We only do this where we have a legal basis to do so or with your consent.

Your information will only be shared if it is appropriate for the provision of your care or required to satisfy our statutory function and legal obligations.

Your information will not be transferred outside of the European Union.

Whilst we might share your information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care.

In addition, we receive data from NHS Digital (as directed by the Department of Health) such as the uptake of flu vaccinations and disease prevalence to assist us to improve “out of hospital care”.

**Sharing of Electronic Patient Records within the NHS**

Electronic patient records are kept in most places where you receive healthcare. Our local electronic systems (such as SystmOne, EMIS and Eclipse) enables your record to be shared with organisations involved in your direct care, such as:

* GP practices
* Community services such as district nurses, rehabilitation services, telehealth and out of hospital services.
* Child health services that undertake routine treatment or health screening
* Urgent care organisations, minor injury units or out of hours services
* Community hospitals
* Palliative care hospitals
* Care Homes
* Mental Health Trusts
* Hospitals
* Social Care organisations
* Pharmacies

In addition, NHS Englandhave implemented the Summary Care Record which contains information including medication you are taking and any bad reactions to medication that you have had in the past.

In most cases, particularly for patients with complex conditions and care arrangements, the shared electronic health record plays a vital role in delivering the best care and a coordinated response, considering all aspects of a person’s physical and mental health. Many patients are understandably not able to provide a full account of their care or may not be able to do so. The shared record means patients do not have to repeat their medical history at every care setting.

Your record will be automatically setup to be shared with the organisations listed above, however you have the right to ask your GP to disable this function or restrict access to specific elements of your record. This will mean that the information recorded by your GP will not be visible at any other care setting.

You can also reinstate your consent at any time by giving your permission to override your previous dissent.

**Privacy impact assessments (PIAs)**

Privacy impact assessments (PIAs) are tools which can help us identify the best (and most effective) methods to stay compliant with data protection obligations, and to ensure they can protect individuals’ privacy.

The practice’s designated Data Controller, Dr P Linn, must carry out PIAs where the type of data processing is likely to result in an elevated risk of affecting the privacy, rights and freedoms of individuals. They are used when starting a new project, implementing a new process, or making changes to a process.

**Diabetic Eye Screening**

The Practice shares your diabetes related data with the diabetic eye screening programme operated by Herts and West Essex Diabetic Eye Screening Programme (commissioned by NHS England). This supports your invitation for eye screening (where you are eligible and referred by the Practice) and ongoing care by the screening programme. This data may be shared with any hospital eye services you are under the care of to support further treatment and with other healthcare professionals involved in your care, for example your Diabetologist.

**Invoice Validation**

If you have received treatment within the NHS, the local Commissioning Support Unit (CSU) may require access to your personal information to determine which Clinical Commissioning Group is responsible for payment for the treatment or procedures you have received. Information such as your name, address, date of treatment and associated treatment code may be passed onto the CSU to enable them to process the bill. These details are held in a secure environment and kept confidential. This information is only used to validate invoices in accordance with the current Section 251 Agreement, and will not be shared for any further commissioning purposes

**Your Right of Access to Your Records**

The Data Protection Act and General Data Protection Regulations allows you to find out what information is held about you including information held within your medical records, either in electronic or physical format. This is known as the “right of subject access”. If you would like to have access to all or part of your records, you can make a request in writing to the organisation that you believe holds your information. This can be your GP, or a provider that is or has delivered your treatment and care. You should however be aware that some details within your health records may be exempt from disclosure, however this will be in the interests of your wellbeing or to protect the identity of a third party.

**How it’s kept safe**

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We maintain our duty of confidentiality by:

* conducting annual training and awareness
* ensuring access to personal data is limited to the appropriate staff
* information is only shared with organisations and individuals that have a legitimate and legal basis for access.

Information is not held for longer than is necessary. We will hold your information in accordance with the [Records Management: Code of Practice for Health and Social Care 2016](https://www.gov.uk/government/publications/records-management-code-of-practice-for-health-and-social-care)

**Obligations and consent**

**Do I need to give my consent?**

The GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. When consent is used properly, it helps you build trust and enhance your reputation. However, consent is only one potential lawful basis for processing information. Therefore, your GP practice may not need to seek your explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. Your GP Practice will contact you if they are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your electronic patient record.

**What will happen if I withhold my consent or raise an objection?**

You have the right to write to withdraw your consent to any time for any instance of processing, provided consent is the legal basis for the processing. You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything.

If you do choose to opt out your confidential patient information will still be used to support your individual care. To find out more or to register your choice to opt out, please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters). On this web page you will:

* See what is meant by confidential patient information
* Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
* Find out more about the benefits of sharing data
* Understand more about who uses the data
* Find out how your data is protected
* Be able to access the system to view, set or change your opt out setting
* Find the contact telephone number if you want to know more or to set/change your opt-out by phone
* See the situations where the opt-out will not apply

You can also find out more about how patient information is used at:

<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and

<https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

Our organisation is currently compliant with the national data opt-out policy.

**Complaints**

In the event that you feel your GP Practice has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise your concerns in the first instance where possible **in writing** to the Practice Manager at:

Angel Lane Surgery, Angel Lane, Great Dunmow, Essex, CM6 1AQ

If you remain dissatisfied with our response you can contact the Information Commissioner’s Office helpline: 0303 1231113 or online at [www.ico.org.uk](http://www.ico.org.uk)